

**MINUTES
TOWN OF EDGEWOOD
REGULAR COUNCIL MEETING – MAY 20, 2009 @ 6:30 P.M.
EDGEWOOD COMMUNITY CENTER - #27 E. FRONTAGE ROAD**

1. CALL TO ORDER.

Mayor Stearley called the meeting to order at 6:30 P.M. All Councilors were present with the exception of Councilor Abrams. Also present was Ms. Karen Mahalick, Planning & Zoning Manager and Ms. Estefanie Muller, Clerk-Treasurer.

2. PLEDGE OF ALLEGIANCE.

3. APPROVAL OF THE AGENDA.

Staff requested that Agenda Items 9 C, & D and 18 BB be tabled. Items 9B and 18BB will be placed on the June 3 Agenda, Items 9 C & D placement will be determined at a later time and will be re-advertised.

Councilor Hill asked when the Drainage Resolution that was requested by Councilor Abrams would be placed on the Agenda.

Ms. Mahalick stated that it was scheduled to be placed on the June 3, 2009 Agenda.

MOTION: Councilor Simmons made a motion to approve the Agenda as amended. Councilor Hill seconded the motion.

VOTE: Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

4. MATTERS FROM THE MAYOR.

None.

5. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.

Councilor Felton updated the Council on his conversations with Ms. Audrey Jaramillo regarding after school programs.

Councilor Hill added that he would request this be added to the next Agenda and stated that it had be placed on the School Board Agenda as well.

Mayor Stearley stated that the Council could discuss Item 16 W at this time since they were already on the subject of after school programs. He also discussed some of the emails that the Town had received as well as Grant applications for these programs. He stated that the school would need to be involved from the beginning of the grant application because there was no point in acquiring the funds if the facility would not be available. He also discussed the fact that the Town would have to administer any programs that it was awarded the Grants for and it would be preferable of the school acted as the applicant so that they may administer the program.

Councilor Simmons asked the Mayor his reasoning behind requesting that Town staff not attend the after school program meetings without prior authorization.

Mayor Stearley responded stating that Town staff worked for him and he wanted to be sure that the meetings are productive and are broad based and that the school district is a party to the grant applications.

Councilor Simmons stated that she was very much in favor of the multi-use of public facilities such as schools.

Mayor Stearley stated that this was the reason he felt so strongly that the School Board be represented and approve the use of their facilities.

6. MATTERS FROM THE ATTORNEY.

A. Stone Mountain Zoning Update.

Ms. Mahalick stated that Mr. Rael was unable to be present and will update at another meeting.

7. PUBLIC COMMENTS. (Limit to 2 minutes per person).

Note: If you plan to testify under Public Hearings, please do not sign up for this topic.

Mr. Chuck Ring discussed the nomination of Ms. Jaramillo for Outstanding Young Woman in the Community. He also discussed the Animal Control Facility's funding.

Ms. Susan Simmons discussed stimulus dollars for the area and "Shovel Ready Projects." She also added that there were funds available for Regional Hospitals.

Councilor Felton stated that a regional hospital was an important issue to him as well but that there was a huge difference in building a hospital and running it.

8. EBRA ANNUAL REPORT – Mr. Arthur Swanka.

Mr. Art Swanka presented the Annual report for EBRA.

Mayor Stearley thanked Mr. Swanka for his dedication.

Mr. Swanka also discussed the MOU and funding from the Town.

Mayor Stearley stated that it was part of the budget in the amount of \$500.00.

9. PUBLIC HEARINGS.

Quasi Judicial Procedure: Certification that Public Notice of this Meeting has been posted as required:

This case is being heard under provisions required by the New Mexico Court of Appeals intended to protect the rights of all parties and their witnesses and the swearing in of all parties giving testimony. The affected parties will have the right to cross-examine persons giving testimony.

**Confirmation of no conflict of interest or ex-parte communication.
(ROLL CALL VOTE)**

B. Request for an Appeal of Planning & Zoning Commission Denial of the Requested Extension of the Preliminary Plat for Campbell Properties.

THIS ITEM HAS BEEN TABLED PER THE ATTORNEY'S.

C. Request to annex 248.72 acres located in T10N, R7E, SECTION 34, adjacent to Edgewood 7 and Windmill Road.

This Item was tabled.

D. Request to amend the Zoning Map for 284.72 acres to be Zoned Special Use (SU) located in T10N, R7E, Section 34.

This Item was tabled.

10. TOWN OF EDGEWOOD POLICE REPORT – Chief Swanberg.

E. Chief Swanberg will present his report for the month of April, 2009.

Chief Swanberg presented his report for the month of April. He updated the Council on officer training with the taser devices as well as the scheduled delivery of the new vehicles including their equipment and upgrading the radios to dual band for all vehicles.

Chief Swanberg updated on a conference he attended. He also updated the Council on the tactical training that is scheduled for this summer at the schools.

Chief Swanberg discussed some of the issues posed by Section 32 and 34.

Mayor Stearley asked about the SOP's for the Police Department.

Chief Swanberg updated the Council on the status of the SOP's stating they were a work in progress and he would submit them to the office for "Use of Force" and "Pursuit Policies". He added that his officers would be attending pursuit policy and pursuit driving training.

Councilor Felton asked about the number of officers currently employed as well as the gates for Section 34.

Chief Swanberg responded stating that as of June 13, there will be 6 officers, Juan Griego has been hired, where he worked with Department of Public Safety and another ad is running at this time. He recommended that pedestrian and equestrian gates would be fine but allowing other types of gates would make it almost impossible to prevent ATV's from entering.

Mayor Stearley stated that the fencing and gates for Section 34 was in the budget.

F. Wild Life West Tractor Parade – Mr. Roger Alink.

Mr. Roger Alink provided information regarding the Wild Life West Tractor Parade that included the route and times.

Ms. Mahalick asked if the Council would like to make it a policy to approve of these types of events or would they prefer that it be handled administratively.

Council agreed that parade events of this nature could be handled administratively.

11. ANIMAL CONTROL REPORT – Officer Victoria Murphy.

G. Report for the month of April, 2009.

Officer Murphy presented her report for the month of April.

Ms. Susan Simmons discussed the Regional Animal Shelter funding, structures and location. She added that she could provide additional documents for the Council.

Ms. Mahalick stated that the requirements for the stimulus money was to be "shovel ready" and they were not there yet. She added that they would need to ask the architect what would be required to get to that point.

Ms. Murphy discussed the process they enlisted for determining the best location for the site.

H. Conceptual Site Plan and Rendering for Animal Shelter at New Site.

Mr. Jonathan Craig gave a presentation regarding the structure for the shelter in its various phases.

I. Infrastructure Design – Dennis Engineering.

Ms. Mahalick reviewed this item for the Council stating that Dennis Engineering could provide the infrastructure for the Sally Port but that there is a court case pending regarding water.

Councilor Hill expressed a concern his concern in using Federal Dollars and the resulting Environmental department review and budgeting for this.

J. Acquisition of Land.

Ms. Mahalick reviewed this item for the Council and stated that the public hearing with the Planning Commission was scheduled for June 15, 2009.

K. Authorization to Negotiate for JPA.

Mayor Stearley reviewed this item for the Council.

Ms. Mahalick stated that they would like to see the other entities involved place this project on their ICIP's and that this would help towards securing funding.

L. Legislative Grant:

1. Committee Notice of Appreciation.

Mayor Stearley reviewed this item for the Council and thanked the committee for their hard work thus far.

2. Sally Port Cost.

Ms. Murphy described the structure and the cost at approximately half a million dollars and this includes the infrastructure to support the building.

3. Fundraising-Grant Writer.

Ms. Mahalick reviewed this item for the Council stating that staff had discussed the possibility of hiring a Grant Writer.

Council discussed the pros and cons of hiring a Grant Writer.

12. PARKS & RECREATION REPORT.

M. Report for the month of April, 2009.

Ms. Linda Hill presented the report for the month of April and updated the Council on the Green Energy Festival as well as the Kids Safety Fair. She also discussed some upcoming events.

Councilor Simmons asked how many bicycles were given away.

Mayor Stearley stated that there were eight bicycles.

N. Parks & Recreation Meeting Minutes for March 26, 2009.

Mayor Stearley asked Council for acknowledgement of the Parks & Recreation Meeting Minutes of March 26, 2009.

MOTION: Councilor Simmons made a motion to acknowledge receipt of the Minutes for the Parks & Recreation. Councilor Hill seconded the motion.

VOTE: Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

13. APPROVAL OF PUBLIC CELEBRATION ALCOHOL PERMIT – Fund Raiser at Wildlife West, Mr. Roger Alink.

Mr. Roger Alink presented this permit application and a description of the event for the Council.

MOTION: Councilor Simmons made a motion to approve the Alcohol Permit.
Councilor Felton seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. The motion carried.

14. LIBRARY REPORT – Ms. Peggy Martinez.

O. Report and Library Minutes.

Ms. Peggy Martinez presented her report for the Council.

Councilor Simmons suggested revisiting the hours of operation for the winter.

15. COMMUNITY DEVELOPMENT REPORT – Ms. Karen Mahalick.

P. Update on Section 16.

Ms. Mahalick reviewed this item for the Council. She discussed some of the water and mineral rights and added she was going to get a water service commitment letter as well.

Staff and Council discussed the placement of some of the buildings on the property.

Ms. Mahalick discussed the loan and grants that are available for these projects.

Councilor Simmons asked for clarification on the water rights.

Ms. Mahalick responded stating that the water rights were excluded from the purchase. She also discussed the proposed entrances for the property.

Mayor Stearley stated that Karen and he had talked to Senator Sue Wilson-Beffort regarding the expenditure of the funds.

Councilor Hill asked about widening of the road.

Ms. Mahalick responded stating that the road would be wider and the speed limit would be dropped so the access points can be placed closer together.

Q. Update on COLTPAC Agreement.

Ms. Mahalick reviewed this item for the Council outlining the responsibilities of the Town. She added that the costs to maintain and manage the facility were yet to be determined.

Councilor Felton asked about the cost of maintenance going strictly to the Town.

Ms. Mahalick stated that this was part of the original draft.

R. Code Enforcement – Update.

Ms. Mahalick presented a Code Enforcement report for the Council.

S. Road Department – Update.

Ms. Mahalick updated the Council on Road Department activities including weed abatement, landscaping, and school crossing signage.

Mayor Stearley asked about the dangerous conditions on Church Road.

Ms. Mahalick described the slope of the driveways and stated that there really was nothing that could be done at this point.

Councilor Hill suggested informing the Attorney of the situation.

T. Wastewater Collection Lines – Approval to go out for Bid.
Ms. Mahalick asked Council for permission to go out for bid upon approval of NMED.

MOTION: Councilor Hill made a motion to authorize the Town of Edgewood to go out to bid for the wastewater collection lines subject to receipt of approval letter from NMED. Councilor Felton seconded the motion.

Mayor Stearley described the direction and designs of the collection lines.
Ms. Mahalick stated that copies of the bid package were available in the Town Offices.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. The motion carried.

16. FINANCE AND ADMINISTRATION.

U. Approval of Town Bills.

MOTION: Councilor Felton made a motion to approve the Town Bills.
Councilor Hill seconded the motion.

VOTE: Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

V. Approval of the Financial Report for the month of April, 2009.

MOTION: Councilor Felton made a motion to approve the Financial Report for the month of April, 2009. Councilor Hill seconded the motion.

Ms. Mahalick updated the Council on the Capital Projects noted on this report.
Councilor Simmons asked about line item for health plan costs.
Staff clarified that these were monthly health care costs for the employees.
Mayor Stearley asked about a payment to RMCI.
Ms. Mahalick explained this payment for the Council.

VOTE: Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

W. Status of After-School Project.

X. Approval to submit the 2009-2010 Interim Budget to the Department of Finance & Administration.

Ms. Mahalick reviewed this item for the Council.
Mayor Stearley presented a raise package for the employees to the Council stating it was based on the City of Albuquerque employee raise package. He also reviewed some of the changes and additions to the budget.

MOTION: Councilor Felton made a motion to approve the submittal of the 2009-2010 Interim Budget with the raise package to the Department of Finance & Administration. Councilor Hill seconded the motion.

VOTE: Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

17. APPROVAL OF PORCH & ASSOCIATES FOR THE ANNUAL AUDIT 2008-09 FISCAL YEAR.

Ms. Muller stated this would be year 3 of 3 with Porch & Associates.

MOTION: Councilor Felton made a motion to approve Porch & Associates for the Annual Audit 2008-09 Fiscal Year. Councilor Hill seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. The motion carried.

18. RESOLUTIONS.

Y. Resolution No. 2009-21 – A Resolution Supporting Western Heritage Days. Mayor Stearley read the Resolution and asked for approval from the Council.

MOTION: Councilor Felton made a motion to approve Resolution No. 2009-21 Supporting Western Heritage Days. Councilor Hill seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. The motion carried.

Z. Resolution No. 2009-22 – Open Meetings Resolution Amendment. Ms. Muller reviewed the changes for the Council as the Library will meet monthly instead of every other month as outlined in the current Open Meetings Resolution.

MOTION: Councilor Hill made a motion to approve Resolution No. 2009-22 Open Meetings Resolution Amendment. Councilor Simmons seconded the motion.

VOTE: Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

AA. Budget Resolution No. 2009-23 – Library Budget Line Item Increase. Ms. Muller stated this is an increase to the current budget that needs to be approved by Council.

MOTION: Councilor Felton made a motion to approve Budget Resolution No. 2009-23 Library Budget Line Item Increase. Councilor Hill seconded the motion.

VOTE: Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

BB. Budget Resolution No. 2009-24 – Budget Line Item Changes.
This item was tabled

19. APPROVAL OF PREVIOUS MINUTES.

CC. Regular Council Meeting Minutes of May 6, 2009.

MOTION: Councilor Hill made a motion to approve the Regular Council Meeting Minutes of May 6, 2009. Councilor Felton seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. The motion carried.

20. ACKNOWLEDGE RECEIPT OF THE PLANNING & ZONING COMMISSION MEETING MINUTES.

DD. Regular Planning & Zoning Commission Meeting of May 4, 2009.

MOTION: Councilor Simmons made a motion to acknowledge receipt of the Planning & Zoning Meeting Minutes of May 4, 2009. Councilor Hill seconded the motion.

VOTE: Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

21. ACKNOWLEDGE RECEIPT OF THE ENERGY COMMITTEE MEETING MINUTES.

MOTION: Councilor Hill made a motion to acknowledge receipt of the Energy Committee Meeting Minutes. Councilor Felton seconded the motion.

VOTE: Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

22. ANNOUNCEMENTS, CALENDAR REVIEW & FUTURE AGENDA ITEMS.

EE. Regular Council Meeting – June 3, 2009.

FF. Regular Council Meeting – June 17, 2009.

Note: The Town Hall Offices will be closed on Monday, May 25, 2009 in observance of Memorial Day.

23. ADJOURN.

MOTION: Councilor Simmons made a motion to adjourn the meeting. Councilor Hill seconded the motion.

VOTE: All Councilors voted aye. The motion carried.

Mayor Stearley adjourned the meeting at 9:09 P.M.

PASSED, APPROVED and ADOPTED this 3rd day of JUNE, 2009

Honorable Robert Stearley, Mayor

ATTEST:

Estefanie B. Muller, Clerk-Treasurer

